



Progress Report: Streamlining the Permitting and Environmental Review Process

Background:

On January 24, Governor Dayton issued Executive Order 11-04 establishing specific goals and action steps for streamlining and improving the permitting and environmental review process. In March 2011, the Legislative Auditor released a report assessing the state's environmental review process and recommending next steps. The Dayton Administration has made great progress in implementing these reforms and recommendations.

Results:

Executive Order 11-04	Results
Departments shall enable environmental review and permit applications to be submitted electronically	DONE.
Departments shall issue permits within 150 days or less of receiving the application	<ul style="list-style-type: none">80% of permits have been issued within the 150 day goal.Over 96% of permits for PCA priority projects issued within 150 days.The DNR received 2,426 permit applications between March 3, and June 30, 2011. DNR completed permit decisions on 95% of applications received during the reporting period.
Commissioner of PCA shall decide whether to issue a permit within 30 days of Environmental Impact statement approval	DONE.
Commissioner of PCA shall make recommendations for reforming statutes and rules to be more consistent with federal regulations for water discharge permits	DONE. <ul style="list-style-type: none">New rules were finalized in August, 2011.
If the Commissioner of PCA seeks to adopt air and water quality rules that are more stringent than federal rules, the Commissioner will analyze why this is necessary and compare Minnesota rules to neighboring states.	DONE. <ul style="list-style-type: none">PCA's new rulemaking has included this analysis.
Legislative Auditor Recommendations	Results
The Pollution Control Agency (PCA) and Department of Natural Resources (DNR) should improve the value of their data by routinely compiling complete and accurate timeliness	DONE.

information on environmental reviews and priority permits. Doing so will enable them to report on agency performance, identify opportunities for improvement, and change their processes when necessary.	
PCA and DNR should establish explicit standards for the timeliness of agency responsiveness to proposers' initial and supplemental data submissions for environmental assessment worksheets. Each agency should measure its performance against these standards and against time lines already in Minnesota Rules.	DONE. <ul style="list-style-type: none"> The 30-day completeness review for permit applications and the 150-day goal for permit decisions have rendered this OLA recommendation unnecessary.
PCA and DNR should each develop clear guidance on what constitutes a complete environmental assessment worksheet data submittal.	DONE. <ul style="list-style-type: none"> This guidance is provided in several ways. The Environmental Quality Board website provides general information and information specific to PCA on its website. The PCA website provides and continues to update fact sheets to aid the preparation of environmental assessment worksheets on project categories for which the PCA is the responsible government unit and also provides an on-line environmental assessment worksheet form which contains some links to relevant information.
PCA and DNR should consistently inform project proposers of the environmental review process, information needed for a complete environmental assessment worksheet data submittal, agency timeliness standards, and the agency's expectations of the proposers and their consultants.	DONE. <ul style="list-style-type: none"> Environmental assessment worksheet progress and the performance of PCA staff and project proposers are closely monitored in the PCA's environmental review database. This includes a log of all communications between staff and the project proposer related to environmental assessment worksheet data submittals and PCA responses as well as an important project milestone that tracks the environmental assessment worksheet process.
Legislative Auditor Recommendations	Results
Set timeliness standards for responding to proposers' environmental assessment worksheet data and measure performance.	<ul style="list-style-type: none"> So far in 2011, PCA has received 11 initial environmental assessment worksheet submittals. Of those, five were completed within 60-129 days, with an average of 94 days to completion. Of the remaining six,

	<p>four have been in-house less than three months, one approximately five months and one approximately seven months. The environmental assessment worksheets have been in the following categories: Wastewater Treatment/Collection (4); Feedlots (4); Waste to Energy (1); Energy (2)</p>
Direct Environmental Quality Board to evaluate environmental review	<ul style="list-style-type: none"> • See attached Executive Order.